

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

QUINN AARON KLEIN,)	
Individually,)	
)	
Plaintiff,)	
vs.)	NO. CIV-12-0464-HE
)	
RONALD ANDERSON, <i>et al.</i> ,)	
)	
Defendants.)	


ORDER

Plaintiff, a state prisoner appearing *pro se* and *in forma pauperis*, filed this action pursuant to 42 U.S.C. § 1983, alleging violations of his constitutional rights. Consistent with 28 U.S.C. § 636(b)(1)(B), the matter was referred to Magistrate Judge Gary M. Purcell for initial proceedings. He recommends that the action be dismissed for failure to state a claim under 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b). Plaintiff has objected to the Report and Recommendation.

Having considered plaintiff's objection, the court agrees with the magistrate judge's analysis of plaintiff's claims and adopts Magistrate Judge Purcell's Report and Recommendation. Both plaintiff's claims and any he attempts to assert on behalf of Joseph Perry are dismissed without prejudice pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b). Plaintiff is advised that this dismissal will ripen into a "strike" under the three-strikes rule of the Prison Litigation Reform Act as soon as the time to appeal has expired or, if plaintiff appeals, in the event the court of appeals affirms this dismissal. *See* 28 U.S.C. § 1915(g).

IT IS SO ORDERED.

Dated this 21st day of June, 2012.



JOE HEATON
UNITED STATES DISTRICT JUDGE